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/Holly D. Kozlowski/

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Kohji Kawahara et al : Confirmation No.: 2192

Serial No.: 10/540,835 : Group Art Unit: 1612

Filing Date: June 23, 2005 : Examiner: Gigi Georgiana Huang

For: **Transdermal Drug Delivery System for Treatment of Ophthalmic Disease, Use Thereof and Method for Transferring Remedy for Ophthalmic Disease to Ophthalmic Topical Tissue**

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Official Action dated October 2, 2008, the Examiner required restriction under 35 U.S.C. §121 and §372 between Group I, claims 1-18, drawn to a transdermal drug delivery system having a plaster layer, Group II, claim 19, drawn to the use of a transdermal drug delivery system having a plaster layer, and Group III, claim 20, drawn to a method for treating ophthalmic disease. Applicants hereby elect Group III, claim 20, without traverse.

The Examiner also required an election under 35 U.S.C. §121 of species of the remedies as set forth in claim 2 and a single compound. Applicants hereby elect the species of antiallergic agent and the compound ketotifen fumarate. As claim 20 is the only elected claim, claim 20 reads on these elected species.

It is believed that the above represents a complete response to the Official Action. Examination on the merits is respectfully requested. Please charge any fee required with this response to Deposit Account No. 503915.

Serial No.: 10/540,835

Response to Restriction and Election Requirements dated November 3, 2008

Reply to Office Action dated October 2, 2008

Respectfully submitted,

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